

# ***Draft Environmental Assessment***

## ***Stipek Fishing Access Site Proposed Acquisition***

***December 2008***



***Montana Fish,  
Wildlife & Parks***

***MEPA, MCA 23-1-110 CHECKLIST***

## ***PART I. PROPOSED ACTION DESCRIPTION***

### **1. Type of Proposed Action**

#### **\*Land Acquisition**

Fish, Wildlife and Parks proposes to purchase via fee title 34 acres (plus/minus) of land along the Yellowstone River, north of Glendive, Montana for a new Fishing Access Site (FAS).

### **2. Name of Project**

Stipek Fishing Access Site Proposed Acquisition

### **3. Name, Address and Phone Number of Project Sponsor**

Montana Fish, Wildlife & Parks  
Industrial Site W  
PO Box 1630  
Miles City, MT 59301  
(406) 234-0900

### **4. If Applicable:**

Public Comment Period: Early December – Early January 2009  
Decision Notice: Mid January 2009  
FWP Commission Approval February 2009  
State Land Board Approval: February 2009

### **5. Location Affected by Proposed Action (county, range and township)**

#### **Dawson County: Township 17 North, Range 55 East**

\*Section 25: Tract 1 of the Lord and Hagenston Minor Subdivision

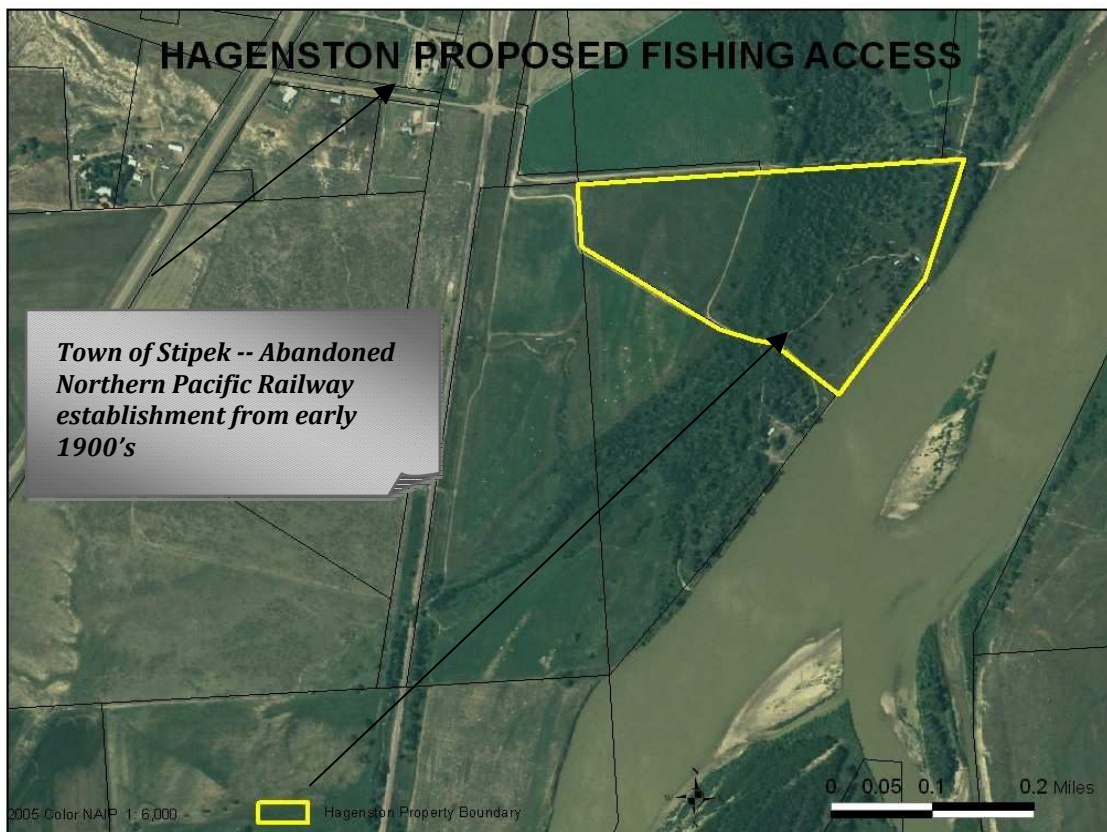
\*Section 24: A tract in the SW1/4SW1/4 containing approximately 1.31 acres

\*Section 23: A tract consisting of a deeded road containing approximately 1.05 acres

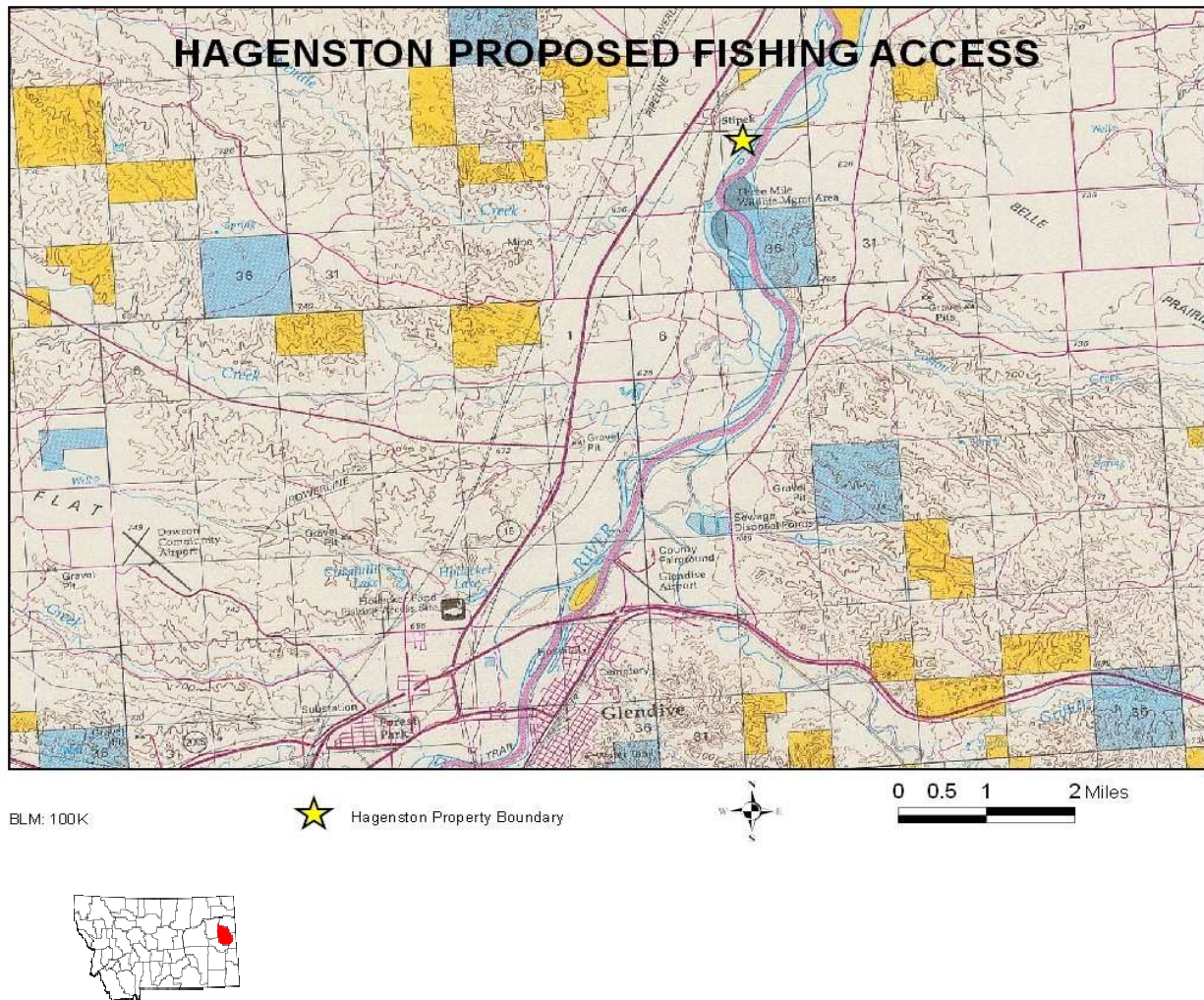
6. **Project Size: Estimate the number of acres that would be directly affected that are currently:**

(a)	Developed:		(d)	Floodplain	— acres
	residential	— acres			
	industrial	— acres	(e)	Productive:	
(b)	Open Space/Woodlands/ Recreation	<u>16</u> acres		irrigated cropland	<u>12</u> acres
				dry cropland	— acres
				forestry	— acres
(c)	Wetlands/Riparian Areas	<u>6</u> acres		rangeland	— acres
				other	— acres

7. **Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.**







8. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action.

### **INTRODUCTION AND PROPOSED ACTION**

**Proposed state action:** Montana Fish, Wildlife & Parks (FWP) proposes to purchase 34 acres of land for the price of \$179,000 from the current property owner. The property is located near Highway 16 approximately 8 miles north of Glendive and roughly 21 miles south of Savage on the west side of the Yellowstone River. The site will be near the historical Northern Pacific

Railway establishment called Stipek, a town named after J. J. Stipek of Glendive, proprietor of the Bee Hive cash store.

The property is located on the west side of the Yellowstone River and is very close to Twelve Mile Wildlife Management Area (WMA). The current owner proposed the sale of this property to FWP to ensure that the natural environment of the parcel will be preserved and the public's access to the property and river is maintained in perpetuity. This acquisition would ensure public access to this stretch of the Yellowstone River, access to various publicly owned river islands, access to a landlocked DNRC section almost directly across the river, and WMA. The nearest Fishing Access Sites (FAS) to the property along the river are the Intake FAS, approximately 11 miles downstream, and the Black Bridge FAS, 11 miles upstream. This location would provide excellent ½ day float opportunities for anglers and recreationalists.

According to the 2005 Angler Pressure Survey Report, this reach of the Yellowstone River receives approximately 18,600 angler days annually. These numbers show that this area is the third highest in the Region and ranks 38<sup>th</sup> statewide. Additional public access would likely increase the amount of use in this reach of the Yellowstone River. According to the Parks Division in R-7, an estimated 8,000 to 10,000 annual visits might potentially occur at this location. The current owner does not currently allow bank fishing or hunting on the property.

The purchase and management of this site will broaden the availability of public access on this high priority reach of the Yellowstone River while alleviating public pressure at nearby Intake FAS. Acquisition of this property will also broaden opportunities for the general public to access the fore-mentioned public areas while helping to minimize recreational conflicts in the future. All neighbors immediately upstream and downstream of this property have been notified of the proposed acquisition. In order to minimize future trespassing issues, all boundary fences will continue to exist and will be maintained on an annual basis.

The property is accessed traveling northbound on Highway 16 for 7 miles, and turning onto the gravel route (for .6 of a mile) that requires crossing of an active railroad track. This stretch of track is considered a low-speed track (10 mph) and adequate signage will be posted and enforced near the railroad crossing to mitigate crossing concerns. FWP will work with the County as well as the Railroad authority (Burlington Northern Santa Fe Railroad) to ensure that a safe at-grade crossing can be permitted at this location.

**Improvements:** There are no buildings on the property and very little development. The scope of this Environmental Assessment (EA) primarily covers the acquisition of the property. The property has a gravel access road that is considered a public roadway and R-7 FWP staff will work with Dawson County Commissioners to establish this road as a designated County road. There will be a designated parking area near the entrance of the property and the two-track road extends from this parking area to the River. Visitor compliance will be achieved through

appropriate regulatory and directional signage along with enforcement efforts. The FAS will be considered day-use only with no overnight camping available.

Potential future development of this site would likely include an improved gravel access road, fencing, signage, a boat ramp, parking area, and a vault latrine. In regards to the cropland acreage, a cropland lease out will be considered among other alternatives that will be evaluated by FWP staff. Future significant management/development activities will be addressed in subsequent Environmental Assessments (EA).

**Agency authority for the proposed action:** The 1977 Montana Legislature enacted statute 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop and operate a system of fishing accesses. FWP has the authority to develop outdoor recreational resources in the state per 23-2-101, MCA: “for the purpose of conserving the scenic, historic, archaeologic, scientific, and recreational resources of the state and providing their use and enjoyment, thereby contributing to the cultural, recreational, and economic life of the people and their health.”

Furthermore, state statute 23-1-110 MCA and ARM 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

### **Funding**

A purchase agreement has not yet been signed with the sellers. Approximate purchase value is \$179,000.00. Final purchase value will be determined by the results of a survey commissioned by the sellers. The property would be purchased solely through Governor’s Access Montana Initiative, which was approved by the 2007 Legislature.

### **Summary of Proposed Action**

Montana Fish, Wildlife & Parks (FWP) proposes to purchase 34 (plus/minus) acres that would provide excellent recreational opportunities and further public access to an important reach of the Yellowstone River. The property is located on the west side of the Yellowstone River and is nearly adjacent to Twelve Mile Wildlife Management Area (WMA). The current owner proposes the sale of this property to FWP to ensure that the natural environment of the parcel will be preserved and the public’s access to the property and river is maintained in perpetuity. This acquisition would ensure public access to the Yellowstone River, various publicly owned river islands and WMA’s, and provide a location for a Fishing Access Site (FAS) that would provide excellent ½ day float opportunities.



Figure 1. Photo taken from the property looking south (towards Glendive)



## **Affected Resources:**

### **Opportunities for Diverse Recreation**

The riparian and wetland habitats on this property provide excellent opportunities for wildlife viewing, berry and agate picking, hiking, photography, and nature study. Other recreational opportunities that will be made available to the public include hunting, fishing, birding, trapping, and various river activities, such as canoeing and tubing.

### **Resource Values**

The property provides year round habitat for a variety of native species of neotropical migratory birds, endemic songbirds, a host of small mammals, and bats. The Yellowstone River provides important habitat for migratory wetland birds during the summer reproductive season and annual migration. American kestrels, northern harriers, red-tailed hawks, Swainson's hawks, and common nighthawks are common. Belted kingfishers, American white pelicans and great blue herons are also found along the Yellowstone River. Two active bald eagle nests are located along the Yellowstone River within five miles of the property and winter

use is common. Furthermore, the Hagenston property provides habitat for white-tailed deer, pheasants, wild turkeys and possibly antelope.

Riparian and wetland communities support the highest concentration of plants and animals in Montana. The lower Yellowstone River and its associated wetland/riparian and cropland complex are highly diverse and productive wildlife habitats with documented use of at least 127 vertebrate species. The pallid sturgeon, a federally listed species, has been observed along with 12 Species of Concern and 11 Tier 1 species listed in the Comprehensive Strategy as species in greatest need of conservation. In Montana, riparian habitats provide breeding and nesting areas for at least 134 (55%) of Montana's 245 species of breeding birds, as well as much-needed food and resting areas for migrating birds and waterfowl (J. Ellis, Montana Audubon, 2008).

Farmed cropland in the river bottom totals about 12 acres. The ability to manage these acres to maximize high quality food production and/or nesting cover is an important addition to the habitat diversity on this property. Current cropland production consists of dry-land hay. In regards to the cropland acreage, a cropland lease out will be considered among other alternatives that will be evaluated by FWP staff.

This property consists of riparian floodplain and wetlands. The site contains several sloughs and side channels. The property is periodically inundated by floodwater. The landscape consists of cropland, floodplain, and riparian wetland vegetation which are dominated by mature cottonwoods and immature saplings.

Riparian and wetland communities support the highest concentration of plants and animals in Montana. This importance is highlighted in the identification of riparian areas as a Community Type of Greatest Conservation Need in the Comprehensive Fish & Wildlife Management Strategy (CFWCS, FWP 2005), and as a priority in the five-year Implementation Plan for the CFWCS. Protection and enhancement of riparian habitats is also the highest priority in FWP Region 7. This property consists mostly of high-quality riparian habitat along the Yellowstone River. This site maintains an intact functioning cottonwood riparian system.



9. **Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a comparison of the alternatives with the proposed action/preferred alternative:**

**Alternative A: Proposed Action**

Montana Fish, Wildlife & Parks (FWP) proposes to acquire 34 acres of land north of Glendive, from Greg Hagenston. Through the Proposed Action, FWP would secure permanent public access to this land, as well as access to the Yellowstone River and provide a location for a new Fishing Access Site.

In proposing to acquire the Hagenston property, FWP seeks to meet the following needs:

1. To increase access to a high priority reach of the Yellowstone River and provide a location for a new FAS.
2. To alleviate public pressure at existing nearby FAS sites, namely Intake, to reduce damage of resources.
3. To provide public recreational access to several publicly owned islands and properties, including DNRC, BLM, and WMA's in and adjacent to this stretch of the Yellowstone River.

**Alternative B: No Action**

Under the No Action Alternative, the property (Hagenston) will likely be sold to another buyer and FWP would lose access to various public lands, existing public islands and WMA's, and FWP would lose the opportunity to benefit the public through further access to the Yellowstone River. There would be no guarantee of public access to the property for recreation, and land access to the Yellowstone River would not be secured for the public. Therefore, this Alternative would not alleviate the usage concerns or mitigate the resource damage at nearby Intake FAS.

**10. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.**

(a) Permits:

Agency Name	Permit	Date Filed/#
N/A		

(b) Funding:

Agency Name	Funding Amount
Fish, Wildlife & Parks	\$179,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name Type of Responsibility

State Historic Preservation Office cultural resources

**11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

*Biological Resources:* This project would conserve animal and plant species biodiversity and secure important wildlife habitat that exists on these lands.

*Weed Management Plan:* State pesticide use laws and regulations will be followed. Application records will be submitted to the Montana Department of Agriculture as required, and these records will be available upon request. The current owners have not had an active weed management program. If MFWP acquires the land, the department would incorporate this property into Region Seven's weed management program. The FWP R-7 Integrated Noxious Weed Management Plan calls for an integrated method of managing weeds using mechanical, biological and chemical eradication procedures. Increased use at the site may lead to increased weed infestations; however, the implementation of a weed management program will mitigate this risk. In addition, FWP will limit vehicle usage to a hardened footprint consisting of an improved gravel access road and parking area. This will confine the potential introduction of weeds to an area that is readily visible and manageable by FWP personnel.

**12. List of agencies consulted during preparation of this EA:**

- Montana Fish, Wildlife & Parks
- *Fisheries Division*
- *Lands Bureau*
- *Legal Unit*
- *Parks Division*
- *Wildlife Division*
- *Montana Department of Commerce – Tourism*
- *Montana Natural Heritage Program – Natural Resources Information System (NRIS)*
- *Montana State Historical Preservation Office*
- *USDA—Glendive Field Office*

**13. Literature cited**

1. *Montana's Comprehensive Fish and Wildlife Conservation Strategy*, Executive Summary, 2005. Montana Fish, Wildlife & Parks, 1420 East Sixth Avenue, Helena, MT 59620.
2. Montana Audubon, "The Need for Stream Vegetative Buffers: What Does the Science Say?" J. Ellis, January, 2008 Publication
3. Montana Railroad History, a compilation from "The Montana Almanac", 1957 Version, published by Montana State University

14. **APPENDICES**

- A. Map of Property to be Acquired
- B. Tourism Report – Department of Commerce
- C. SHPO Concurrence Letter

(The State Historic Preservation Office (SHPO) maintains documents and cultural resource surveys that identify all the State's known cultural and historic resources. SHPO also provides state agencies with guidance on how to preserve those resources in areas where groundbreaking activities occur.)

## PART II. ENVIRONMENTAL REVIEW CHECKLIST

The analysis of the physical and human environments discussed on the following pages is limited to Alternative B. The reason for this is because the potential impacts of Alternative A are difficult to define since the final decision regarding the potential sale is left to the discretion of the current owners and to the next owner if it is sold to another party other than FWP.

### A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

The proposed acquisition will have no effect on existing soil patterns or structures.



2. <b>AIR</b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
<b>Will the proposed action result in:</b>						
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. <del>For P-R/D-J projects,</del> will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				

The proposed acquisition will have no effect on existing air quality.

3. <u>WATER</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-I, will the project affect a designated floodplain? (Also see 3c.)		X				
m. ***For P-R/D-I, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				

The acquisition of the property by FWP and the property's potential development into a fishing access site will have no affect to water resources adjacent to the site since the site will only accommodate bank fishing and floating.

A small portion of shoreline of the proposed site is within the 100-year floodplain.

4. <b>VEGETATION</b>  Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?	X					4a
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		yes	4e
f. **** <del>For P-R/D-J</del> , will the project affect wetlands, or prime and unique farmland?		X				4f

4a. FWP will evaluate alternative solutions concerning the cropland acreage.

4c. A search of the Montana Natural Heritage Program's (MNHP) species of concern database found no vascular or non-vascular plants of significance within the boundaries of the property to be acquired.

4e. This property currently has infestations of 10 acres of leafy spurge, and about 5 acres of Canada Thistle. The Leafy Spurge is widespread on the property especially in the lower timber and brush that directly borders the river. Most of the approximate 10 acre infestation is composed of small communities of plants intermittently scattered about the property with just a couple strong dense stands. The Canada Thistle is also primarily localized to the timber and brush adjacent to the river. There are several small dense pockets standing at the edge of the timber line and small sunlit meadows; with intermittent plant communities scattered about the property. The proposed acquisition will not lead to the expansion of noxious weeds in the area and if the acquisition were approved, FWP would initiate the Statewide and R-7 Weed Management Plans using an integrated approach to control the noxious weeds on the property by using chemical, biological and mechanical methods. Weeds were likely historically introduced through past flood events and grazing practices. The implementation of an aggressive weed management program will facilitate the restoration of native vegetation. Motorized vehicles will be restricted to designated roads.

4f. There are not designated wetlands or prime farmland to be affected by the proposed acquisition or subsequent development of the FAS (USDA Natural Resources Conservation Service Soil Database).

<b>** 5. <u>FISH/WILDLIFE</u></b>	<b>IMPACT *</b>					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
<b>Will the proposed action result in:</b>						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?			X		Yes	5e
f. Adverse effects on any unique, rare, threatened, or endangered species?			X		Yes	5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X		Yes	5g
h. **** <u>For P-R/D-J</u> , will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				5h
i. *** <u>For P-R/D-J</u> , will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				



- 5e. Boundaries of the property are already fenced and will continue to be that way under FWP ownership. There will be no new impediments to the movement of animals through the parcel. However, it is likely that wildlife will choose to not travel through the FAS when it is being used.
- 5f. Min or disruption could occur with the nesting of Bald Eagles or colonial nesting birds, specifically Great Blue Herons due to increased human activity in the area. "I have compared the Hagenston site to known active bald eagle nests and Great Blue Heron rookery sits. The nearest active Bald Eagle nest as of year 2008 is approximately 3 straight line miles downstream and the nearest Great Blue Heron rookery is more than 10 straight line miles downstream. An FWP acquisition of the Hagenston property would not negatively affect these sites or species" stated Dean Waltee, FWP Non-Game Specialist.
- 5g. Archery hunting for whitetail deer and shotgun hunting for upland birds and ducks may be allowed. This will be evaluated by Regional personnel and implemented according to the Department's hunting restrictions policy.
- 5f/h. A search of the Montana Natural Heritage database revealed two sensitive species known to be generally distributed in the vicinity of the proposed new FAS. The Least Tern and Pallid Sturgeon are listed as "Endangered" on the National Endangered or Threatened Species List.

No PR or DJ funding will be used in the acquisition of this property.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u>  Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X			6a.
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

- 6a. Some neighbors may hear noises generated by people using the fishing access site for stream bank fishing and floating activities. Vegetation and fencing will be utilized as necessary to shield neighbors from noise and direct sight of the parking area.

The proposed acquisition will have no change in electrical levels and will not interfere with radio or television reception or operation. Adjacent landowners will be notified and should not be affected.

7. <u>LAND USE</u>	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
<b>Will the proposed action result in:</b>						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a.
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

7a. The existing 12 acres of cropland may eventually be taken out of production and returned to its native state. This will have a very minor impact on the productivity and profitability of the area.

Boundary fences including boundary markers will be maintained by FWP to decrease the possibility of trespassing onto adjacent properties.

8. <b>RISK/HEALTH HAZARDS</b>	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
<b>Will the proposed action result in:</b>						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		X	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X		yes	8c.
d. *** <del>For P-R/D-J</del> , will any chemical toxicants be used? (Also see 8a)			X		X	8d.

- 8a. If acquired, FWP will address the noxious weeds on the property. The Statewide and the R-7 Weed Management Plans call for an integrated method of managing weeds. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe handling techniques. Weeds would also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination. Because of the extensive spread of invasive non-native species on the property, it will take aggressive weed management over several years to control the weeds.
- 8a/d. Chemical spraying is part of FWP's integrated weed management program to manage noxious weeds. Certified professionals would utilize permitted chemicals in accordance with product labels and as provided for under law.
- 8c. A potential hazard could be created due to an increase in traffic at the Railroad crossing. However, FWP staff will work with the County and the Railroad authority (BNSF) to establish this roadway as a public County road and this stretch of the railroad line maintains and enforces speeds of 10 mph on all train traffic. FWP will also post directional and regulatory signage in order to mitigate any concerns or threats to human safety.



9. <b><u>COMMUNITY IMPACT</u></b>	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
<b>Will the proposed action result in:</b>						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?			X		Yes	9a.
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X		Yes	9e.

9a. The fee title acquisition is designed to provide for additional recreation river access. With public use of the property, access will likely continue. Adjacent landowners will be notified of the proposed acquisition.

9e. Increased traffic hazards could occur as a result of the possible influx of visitors to this site. FWP staff will provide regulatory and directional signage in order to mitigate traffic concerns.

10. <b>PUBLIC SERVICES/TAXES/UTILITIES</b>	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				10c.
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources			X		Yes	10e
f. **Define projected maintenance costs.			X		Yes	10f

10b. The current land owners pay annual property taxes. FWP will pay property taxes in an amount equal to that of a private individual.

10c. The proposed acquisition will result in no change to existing utility power lines that run through the property.

- 10e. The proposed purchase will be paid solely through Access Montana funds. FWP may gain some revenue from a possible lease-out of the cropland acreage but will evaluate various alternatives prior to this decision.
- 10f. The maintenance costs for this property involves a weed management estimation between \$1500 - \$2000 per year for several years with costs reducing over time as the weeds are controlled. The weed control costs would be paid from the Fishing Access Program for the first 2 or 3 years. The region would assume costs beyond that from their maintenance budget. The new FAS would be added to the maintenance schedule of the nearby FASS' of Intake, and Black Bridge, which are also on the Yellowstone River.

<b>** 11. AESTHETICS/RECREATION</b>	<b>IMPACT *</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
<b>Will the proposed action result in:</b>						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X		Yes	11c
d. *** <del>For P-R/D-J</del> , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				
e. Other:		X				

- 11c. Public access to this stretch of the Yellowstone River will provide ample recreational amenities that will alleviate public pressure from nearby FASs'. The public access to the area will continue if the proposed acquisition is approved and will continue to be a destination for field trips, hiking, wildlife viewing, floating and fishing. Waterfowl hunters, deer archery hunters and trappers may also be allowed to use the property. See Appendix B for the Department of Commerce Tourism Report.

12. <b>CULTURAL/HISTORICAL RESOURCES</b>	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. **** <u>For P-R/D-J</u> , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				
e. Other:						

12a. No groundbreaking activities that could disturb cultural resources are going to be initiated as part of the proposed acquisition. In addition, cultural resource inventories have been previously conducted in the area. The State Historic Preservation Office has been consulted, and provided a Letter of Concurrence that there is a low likelihood of impacts to cultural resources occurring. A copy of the Letter of Concurrence is attached as Appendix C.

## SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. *** <u>For P-R/D-J</u> , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. **** <u>For P-R/D-J</u> , list any federal or state permits required.		X				

### ***PART III. NARRATIVE EVALUATION AND COMMENT***

The intention of FWP to acquire 34 acres along the Yellowstone River north of Glendive will allow for a safe and convenient access point to the Yellowstone River at a new FAS. The proposed acquisition on the Yellowstone River would allow FWP to provide better public access to area anglers in addition to increasing other general public recreational opportunities. The prospect of a dedicated parking area and established boat launch will alleviate congestion and reduce traffic hazards caused by recreationalists at nearby Intake FAS and Black Bridge FAS.

The proposed action (acquisition) is expected to have no significant negative cumulative effects on the physical and human environments. When considered over the long-term, this action poses significant positive effects for the public's continuing access to a scenic recreation area of the Yellowstone River while decreasing conflicts that exist with those accessing the river under current conditions.

The minor impacts that were identified in the previous section are small in scale and will not influence the overall environment of the immediate area. The natural environment will continue to exist to provide habitat to transient and permanent wildlife species and will continue to be open to the public for access to the river for stream bank and wade fishing, floating activities, waterfowl and deer archery hunting, trapping, hiking, wildlife viewing, and field trips. The environmental analysis focuses solely on the acquisition on the property when FWP initiates development of the property for a developed fishing access site, a separate environmental assessment will be completed and the public will have the opportunity to comment on proposed improvements.

### ***PART IV. PUBLIC PARTICIPATION***

#### **1. Public Involvement:**

The public will be notified in the following manner about the proposed action and alternatives and how to comment on this current EA:

- Two Public Notices in each of these papers: *Glendive Ranger Review*, *Billings Gazette*, and *Helena Independent Record*;
- One statewide press release;
- Direct mailing to adjacent landowners and interested parties;
- Public notice on the FWP web page: <http://fwp.mt.gov>.
- Copies will be available for public review at FWP Region 7 Headquarters.

This level of public notice and participation is appropriate for a project of this scope, and having few limited physical and human impacts.

## 2. Duration of comment period

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., January 16, 2009 and can be mailed to the address below:

Stipek FAS Acquisition  
Montana Fish, Wildlife & Parks  
Region 7 Headquarters  
Industrial Site W, PO Box 1630  
Miles City, MT 59301  
Or email comments to: [jlittle@mt.gov](mailto:jlittle@mt.gov)

## PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?  
**No**

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.*

No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, this environmental review found no significant impacts from the proposed action. In determining the significance of the impacts of the proposed project, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit MFWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Persons responsible for preparing this EA:  
*John Little, FWP Region 7 Parks Manager*  
*Allan Kuser, FWP Fishing Access Site Coordinator*  
*Beth Shumate, Private Contractor*